

RECEIVED

AUG 17 1987

FCC
Office of the Secretary

THOMAS L. ROOT, P.C.

ATTORNEYS AT LAW
2021 L STREET N.W., SUITE 750
WASHINGTON, D.C. 20036

THOMAS L. ROOT

JILL L. RYGWALSKI*

*PENNSYLVANIA BAR ONLY

TELEPHONE
(202) 887-0224

ORIGINAL

August 17, 1987

William J. Tricarico
Secretary
Federal Communications Commission
Washington, D.C. 20554

RECEIVED

AUG 18 1987

FM EXAMINERS

Dear Mr. Tricarico:

Re: Rural Initiatives for Shelter and
Education
Hartford, Michigan

On behalf of Rural Initiatives for Shelter and Education, a Michigan nonprofit corporation, I herewith tender in triplicate on FCC Form 340 an application for construction permit for a new noncommercial educational FM broadcast station to be licensed on Channel 272A to Hartford, Michigan.

No fee is paid, because the application seeks a construction permit for a noncommercial educational facility, albeit on a nonreserved channel.

In the event that there is any question about this matter, please communicate with the undersigned.

103.7MHZ

SPEN -370817MC NEW

HARTFORD 11

RURAL INITIATIVES FOR SHELTER AND

Very truly yours,

Thomas L. Root

RECEIVED

Approved by OMB
3060-0034
Expires 9/30/87

AUG 17 1987

BPED-870817 MC

APPLICATION FOR CONSTRUCTION PERMIT FOR
NONCOMMERCIAL EDUCATIONAL BROADCAST STATION FCC
(Carefully read instructions before filling out Form—RETURN ONLY FORM TO FCC)

For Commission Use Only

File No.

Section I

General Information

1. Name of Applicant

Rural Initiatives for Shelter
and Education
308 Charles Street
Bangor, Michigan 49013

Street Address

308 Charles Street

City

Bangor

State

MI

ZIP Code

49013

Telephone No.

(Include Area Code)

616-427-7937

Send notices and communications to the following named person at the address below:

Name

Guillermo Martinez
324 Alexander Avenue
Bangor, Michigan 49013

Street Address

324 Alexander Avenue

City

Bangor

State

MI

ZIP Code

49013

Telephone No.

(Include Area Code)

616-427-7937

2. This application is for: ☐ AM ☒ FM ☐ TV

(a) Channel No. or Frequency: 279A

(b) Community of license:

City

State

Hartford MI

(c) Check one of the following boxes:

- ☒ Application for new station
☐ Major Change in Existing station; call sign:
☐ Minor Change in Existing station; call sign:
☐ Modification of Construction Permit; File No. of CP:
☐ Amendment to Pending Application; Reference Number (ARN):

XX

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application?

☐ YES ☒ NO

If Yes, State:

Call letters:

Community of license:

City

State

Section II

Legal Qualifications

Name of Applicant

Rural Initiatives for Shelter and Education

1. (a) Applicant is: (Check one box below)

- ☐ a general partnership operating on a nonprofit basis
 ☒ a nonprofit corporation
☐ a limited partnership operating on a nonprofit basis
 ☐ Other (specify)
☐ a governmental or public educational agency or institution

If the applicant is an unincorporated association or a legal entity other than a partnership, nonprofit corporation, or a governmental or public educational agency or institution, describe in Exhibit No. ____ the nature of the applicant.

- (b) Is there any provision contained in any by-laws, articles of incorporation, partnership agreement, charter, statute or any other document which would restrict the applicant in advancing an educational program or complying with any Commission rule, policy or provision of the Communications Act of 1934, as amended. ☐ YES ☐ NO

If Yes, provide particulars as Exhibit No. ____ .

- (c) Does the applicant certify that copies of all pertinent documents set out in (b) are in the public inspection file? ☒ YES ☐ NO

Describe in Exhibit No. 1 how the proposed station will be used for the advancement of an educational program. This does not apply if applicant is applying for change in facilities.

Citizenship And Other Statutory Requirements

2. (a) Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and Foreign governments? ☒ YES ☐ NO

- (b) Will any funds, credits, etc., for the construction, purchase or operation of the station be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents? ☐ YES ☒ NO

If yes, provide particulars as Exhibit No. ____ .

3. (a) Has an adverse finding been made, adverse final action taken or consent decree approved by any court or administrative body as to the applicant or any party to the application in any civil or criminal proceeding brought under the provisions of any law related to the following subjects:
Any felony, antitrust, unfair competition, fraud, unfair labor practices or discrimination? ☐ YES ☒ NO

- (b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a)? ☐ YES ☒ NO

If the answer to (a) or (b) above is Yes, attach as Exhibit No. ____ , a full disclosure concerning the persons and matters involved, identifying the court or administrative body and the proceeding (by dates and file numbers), stating the facts upon which the proceeding was based or the nature of the offense committed, and disposition or current status of the matter.

Table 1 Parties To Application

Complete Table I with respect to all parties to this application.

5. Has the applicant or any party to this application had any interest in:

- (a) a broadcast application which has been dismissed with prejudice by the Commission? ☐ YES ☒ NO
- (b) a broadcast application which has been denied by the Commission? ☐ YES ☒ NO
- (c) a broadcast station, the license of which has been revoked? ☐ YES ☒ NO
- (d) a broadcast application in any Commission proceeding which left unresolved character issues against that applicant? ☐ YES ☒ NO
- (e) If the answer to any of the questions above is Yes, attach Exhibit No. _____, stating the following information:
- (1) Name of party having such interest;
 - (2) Nature of interest or connection, giving dates;
 - (3) Call letters of stations or file number of application, or docket number;
 - (4) Location.

Ownership and Control

6. Are there any documents, instruments, contracts, or understandings relating to ownership or future ownership rights (including, but not limited to, non-voting stock interests, beneficial stock ownership interest) or control? ☐ YES ☒ NO

If Yes, provide particulars as Exhibit No. _____.

7. Do documents, instruments, agreements or understandings for the pledge of stock of a corporate applicant, as security for loans or contractual performance, provide that (a) voting rights will remain with the applicant, even in the event of default on the obligation; (b) in the event of default, there will be either a private or public sale of the stock; and (c) prior to the exercise of stockholder rights by the purchaser at such sale, the prior consent of the Commission [pursuant to 47 U.S.C. 310(d)] will be obtained? ☐ YES ☒ NO

If No, attach as Exhibit No. _____, a full explanation.

Section III**Financial Qualifications**

Note: If this application is for a change in an operating facility, **DO NOT** fill out this section.

1. Is this application contingent upon receipt of a grant from the National Telecommunications and Information Administration? ☐ YES ☒ NO
2. Is this application contingent upon receipt of a grant from a charitable organization, the approval of the budget of a school or university, or an appropriation from a state, county, municipality or other political subdivision? ☐ YES ☒ NO

NOTE: If either 1 or 2 is answered "Yes", your application cannot be granted until all of the necessary funds are committed or appropriated. In the case of grants from the National Telecommunications and Information Administration no further action on your part is required. If you rely on funds from a source specified in Question 2, you must advise the F.C.C. when the funds are committed or appropriated. This should be accomplished by letter amendment to your application, in triplicate, signed in the same manner as the original application, and clearly identifying the application to be amended.

3. Except as indicated in Questions Numbered 1 and 2 above, the applicant certifies that:
- (a) It has a reasonable assurance of present commitments from each donor, from each party agreeing to furnish capital, from each bank, financial institution or others agreeing to lend funds, and from each equipment supplier agreeing to extend credit: ☒ YES ☐ NO
- (b) It can and will meet all contractual requirements as to collateral, guarantees, and capital investments or donations: ☒ YES ☐ NO
- (c) It has determined that a reasonable assurance exists that all such sources (excluding banks, financial institutions, and equipment manufacturers) have sufficient net liquid assets to meet these commitments. ☒ YES ☐ NO
4. The applicant certifies, except as noted above, that sufficient net liquid assets are on hand or available from committed sources to construct and operate the requested facilities for three months without additional funds. ☒ YES ☐ NO

Section IV**Program Service Statement**

For AM, FM and TV Applications

Attach as Exhibit No. 3, the applicant's purpose and objective in establishing the proposed station and a statement of proposed program policies. If applicant already has such information on file, indicate file number and detail changes, if any.

Section VI**Equal Employment Opportunity Program**

1. Does the applicant propose to employ five or more fulltime employees?

☐ YES ☒ NO

If the answer is Yes, the applicant must include an EEO program called for in the separate 5 Point Model EEO Program [FCC Form 396 (A)].

Section VII**Certification**

1. Has or will the applicant comply with the public notice requirement of Section 73.3580 of the Commission's Rules?

☒ YES ☐ NO

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and are incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with Section 1.65 of the Commission's Rules, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.

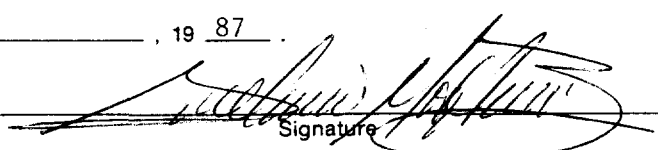
U.S. CODE, TITLE 18, Section 1001.

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this 17th day of August, 19 87.

Rural Initiatives For Shelter and Education

Name of Applicant


Signature

President

Title

**FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT
AND THE PAPERWORK REDUCTION ACT**

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, accountants, engineers, and application examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested Permit.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

Approved by OMB
OMB No. 3060-0027
Expires 5-31-88

CERTIFICATION OF SITE AVAILABILITY

1. The applicant certifies that it has reasonable assurance in good faith that the site or structure proposed in Items 1 and/or 2, Section V-G, FCC Form 301, as the location of its transmitting antenna, will be available to the applicant for applicant's intended purpose.

YES X NO

If no, explain fully:

2. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Donald L. Anderson
Name of Person Contacted

(616) 637-1138
Telephone Number

Person contacted (check one):

Owner

Owner's Agent

Other (specify) X

Donald L. Anderson
Applicant's Signature

3/17/87
Date

Mr. Anderson is president of CoSY Broadcasting, Inc., licensee of commercial FM broadcast station WCSY and WCSY-FM, South Haven, Michigan, owner of the site.

Rural Initiatives for Shelter
and Education
Exhibit 1

The applicant intends to use the proposed station to advance two educational purposes. The first purpose is to provide the substantial minority and Hispanic population in southwestern Michigan with information relating to services and assistance available to the residents, and second, to provide instruction on matters of English language, culture, social services, health and basic skills for residents of the area, including children. A special emphasis will be placed on the needs of the Hispanic minority, especially migrant workers.

Rural Initiatives for Shelter
and Education
Exhibit 2

The following persons are officers and directors of the applicant. All are U.S. citizens:

| <u>Name</u> | <u>Interest; Occupation</u> |
|--|--|
| Sandra Avery RR #2, 79th Avenue Decatur, Michigan 49045 | President and Director; Legalization Coordinator, INS |
| Trina Ramos Foster 54516 Butcher Road Lawrence, Michigan 49064 | Vice president and Director; Paralegal |
| Guillermo Martinez 324 Alexander Bangor, Michigan 49013 | Secretary and Director; Community Liason Specialist |
| Michael Rawson RR #2, Territorial Hartford, Michigan 49057 | Treasurer and Director; Businessman |
| John Babcock RR#2, C.R. 6787 Hartford, Michigan 49057 | Director; Retired farmer |
| William J. Ryder RR#2, 84th Avenue Hartford, Michigan 49057 | Director; Banker |
| Marjorie Wendzel 785 North Bainbridge Watervliet, Michigan 49098 | Director; Farmer |
| Peter Vergot Paw Paw, Michigan 49079 | Member <u>ex officio</u> *; Cooperative Extension Agent |

* Mr. Vergot has a seat, but no vote, on the Board of Directors.

All of the officers and directors of the applicant live within the predicted 1.0 mv/m contour of the proposed station. Ms. Avery, whose mail address is located outside the 1 mv/m contour, is nevertheless a resident of Keeler, which is within the proposed 1.0 mv/m contour.

Mr. Vergot, the ex officio member of the Board, lives outside the predicted coverage area, but is County Extension Agent of the county in which Hartford is located.

Rural Initiatives for Shelter
and Education
Exhibit 3

The applicant's purposes and objectives in establishing the proposed station are set out in part in Exhibit 1. The applicant is a nonprofit corporation, eligible under Section 501(c)(3) of the Internal Revenue Code as a charitable organization donations to which are tax-deductable, engaged in assisting minorities, migrant workers, and disadvantaged persons in southwestern Michigan.

Within the proposed service area, there are estimated to be, at the peak of the growing season, about 40,000 Hispanic persons, most of whom work in agricultural activities. The year-around Hispanic population is estimated to be about 15,000 people. The growing season, with attendant spring and fall activities, runs from April through November of each year. The station will serve not only the agricultural workers, but also local farmers with educational in informational programs on farming and farm business endeavors.

The applicant will adopt program policies which (1) encourage broad participation by listeners in station programming; (2) emphasize the educational role the proposed station can plan in instructional programming for listeners; and (3) capitalize on

-- Rural Initiatives on Shelter and Education, Exh. 3, p. 2 --

the central communications outlet status of the station to provide support to existing agencies in the provision of services to the station's service area.

In educational programming, the station will target specific programs to address problems, needs and interests of (1) senior citizens; (2) youth and (3) persons of varied cultures. The station's emphasis on multicultural education -- including specific music and literature offerings -- will demonstrate that the southwestern Michigan community can be as one, unified by the many diverse cultures located therein.

Section V-B

FM Broadcast Engineering Data

Name of Applicant Rural Initiatives for Shelter and Education

1. Purpose of authorization applied for:

☒ Construct a new station

☐ Install Auxiliary system

Change:

☐ Effective radiated power

☐ Frequency

☐ Antenna height above average terrain

☐ Transmitter location

☐ Studio location outside community of license

☐ Other (Summarize briefly the nature of the changes proposed.)

2. Community of license:

State

Michigan

City or Town

Hartford

3. Facilities requested:

Frequency

Channel No.

Class (Check one below)

103.7 MHz 279

☒ A ☐ B ☐ B1
☐ C ☐ C1 ☐ C2 ☐ D

4. Geographic coordinates of antenna (to nearest second)

North Latitude 42° 18' 02"

West Longitude 86° 15' 03"

5. Effective radiated power:

Polarization

Horizontal Plane

Maximum (Beam tilt only)

Horizontal 3.0 kW

DNA kW

Vertical 3.0 kW

DNA kW

6. Height in meters of antenna radiation center:

Above
Average terrain (HAAT)

Above
Mean Sea Level

Above
Ground

Horizontal 100 meters 301 meters 85 meters

Vertical 100 meters 301 meters 85 meters

7. Is a directional antenna being proposed?

☐ YES ☒ NO

If Yes, attach as Exhibit No. DNA an engineering statement with all data specified in Section 73.316(d) of the Commission's Rules.

8. Transmitter location: State Michigan County Van Buren
 City or Town Hartford Street Address (or other identification) 32nd Ave., east of M-140, 0.8 km NE of Covert, MI.
 Overall height of complete structure above ground, including all appurtenances and lighting (if any, see Part 17). 316 meters
9. Overall height of complete structure above ground, including all appurtenances and lighting (if any, see Part 17). 316 meters
10. Attach as Exhibit No. E-1 map(s) (Sectional Aeronautical charts or equivalent) of the area proposed to be served and shown thereon:
- (a) Proposed transmitter location and the radials along which the profile graphs have been prepared;
 - (b) The 1mV/m predicted contour;
 - (c) Area (sq. mi.) and population (latest census) within 1 mV/m contour;
 - (d) Scale of miles or kilometers (kilometers if available).
11. Attach as Exhibit No. DNA a map (Sectional Aeronautical charts where obtainable) showing the present and proposed 1 mV/m (60 dbu) contours.
- Enter the following from Exhibit above: Gain Area _____ sq. mi.
 Loss Area _____ sq. mi.
- Percent change (gain area plus loss area as percentage of present area) _____ %.
- If 50% or more this constitutes a major change. Indicate in question 2(e), Section I, accordingly.
12. If the main studio will not be within the boundaries of the principal community to be served, attach as Exhibit No. DNA a justification pursuant to Section 73.1125(f) of the Commission's Rules.
13. Attach as Exhibit No. E-5 map(s) (7.5 minute U.S. Geographic Survey topographic quadrangles if available) of the proposed antenna location showing the following information:
- (a) Proposed transmitter location accurately plotted with the latitude, the longitude lines clearly marked and showing a scale of statute kilometers.
 - (b) Transmitter location and call letters of all AM broadcast stations within 2 miles of the proposed antenna location.
14. If there are any FM or TV stations within 200 feet of proposed antenna or non-broadcast radio stations (except amateur and citizens band), or established commercial and government receiving stations in the general vicinity which may be adversely affected by the proposed operation, attach as Exhibit No. * the expected effect, a description of remedial steps that may be pursued if necessary, and a statement from the applicant accepting full responsibility for the elimination of any objectionable effect on existing stations.

* see Report Discussion

15. Tabulation of Terrain Data. (Calculated in accordance with the procedure prescribed in Section 73.313 of the Commission's Rules utilizing 7.5 minute topographic maps, if available.)

| Radial bearing (degrees true) | Height of antenna, radiation center above average elevation of radial (3-16 kilometers) Meters | Predicted Distance |
|----------------------------------|---|--------------------------|
| | | To the 1 mV/m contour |
| | | Kilometers |
| 0° | 99 | 24.0 |
| 45° | 103 | 24.5 |
| 90° | 92 | 23.3 |
| 135° | 93 | 23.4 |
| 180° | 100 | 24.2 |
| 225° | 102 | 24.4 |
| 270° | 107 | 24.9 |
| 315° | 106 | 24.8 |
| 146° | 95 | 23.7 |

Allocation Studies

(See Subpart C of Part 73 of the Commission's Rules and Regulations)

16. Is the proposed antenna location within 320 kilometers (199 miles) of the common border between the United States and Mexico?
☐ Yes ☒ No
- If Yes, attach as Exhibit No. DNA a showing of compliance with all provisions of the Agreement between the United States of America and the United Mexican States concerning Frequency Modulation Broadcasting in the 88 to 108 MHz band.
17. With regard to stations within 320 kilometers (199 miles) of the common border between the United States and Mexico, attach as Exhibit No. DNA information required in 1/
18. If the proposed operation is for a channel in the range from channel 201 through 220 (88.1 through 91.9 MHz), then with regard to stations more than 320 kilometers (199 miles) from the common border between the United States and Mexico or if this proposed operation is for a class D station in the range from Channel 221 through 300 (92.1 through 107.9 MHz), attach as Exhibit No. DNA a complete allocation study to establish the lack of prohibited overlap of contours involving these stations. The allocation study should include the following:
- The normally protected interference-free and the interfering contours for the proposed operation along all azimuths.
 - Complete normally protected interference-free contours of all other proposals and existing stations to which objectionable interference would be caused.
 - Interfering contours over pertinent arcs of all other proposals and existing stations from which objectionable interference would be received.

19. Is the proposed antenna location within 320 kilometers of the common border between the United States and Canada?

☒ Yes ☐ No

If Yes, attach as Exhibit No. * a showing of compliance with all provisions of the Working Agreement for Allocation of FM Broadcasting Stations on Channels 201-300 under The Canada-United States FM Agreement of 1947.

* see Report Discussion

20. With regard to station separated by 53 or 54 channels (10.6 or 10.8 MHz) attach as Exhibit No DNA information required in 1/(separation requirements involving intermediate frequency [i.f.] interference).

21. Is the proposed operation on Channel 218, 219 or 220?

☐ Yes ☒ No

If Yes, attach as Exhibit No. DNA information required in 1/ regarding separation requirements with respect to stations on Channels 221, 222, and 223.

22. Is the proposed station for a channel in the range from Channel 201 to 221 (88.1-91.9 MHz) and the proposed antenna location within the Grade B contour of a channel 6 television station or sufficiently near the Grade B contour that a question of interference to channel 6 may be raised?

☐ Yes ☒ No

If Yes, attach as Exhibit No. DNA a map showing the Grade B contour of the television station and the proposed antenna location. Also include discussion of the possibility of interference to the Channel 6 station and the steps proposed to remedy any interference which may occur.

23. Is the proposed station for a channel in the range from Channel 221 to 300 (92.1-107.9 MHz)?

☒ Yes ☐ No

If Yes, attach as Exhibit No. * information required in 1/ (Except for class D [secondary] proposals.)

* see Report Discussion

24. If the proposed antenna location is in or near a populated area, attach Exhibit No. * a discussion of blanketing and the steps proposed to remedy any interference which may occur.

* see Report Discussion

25. Environmental Statement, See Part I, Subpart 1 of the Commission's Rules.

Would a Commission grant of this application be a major action as defined by Section 1.1305 of the Commission's Rules?

☐ Yes ☒ No

If Yes, attach as Exhibit No. DNA a narrative statement in accordance with Section 1.1311 of the Commission's Rules.

If No, explain briefly. Existing structure to be utilized: No new construction required.

I certify that I represent the applicant in the capacity indicated below and that I have examined the foregoing statement of technical information and that it is true to the best of my knowledge and belief.

E. Harold Munn, Jr. & Associates, Inc.

E. Harold Munn, Jr., President

August 11, 1987

Date

Name

Signature (check appropriate box below)

P. O. Box 220

Address (include ZIP Code)

Coldwater, Michigan 49036

[517] 278-7339

Telephone No. (include Area Code)

☐ Technical Director

☐ Registered Professional Engineer

☐ Chief Operator

☒ Technical Consultant

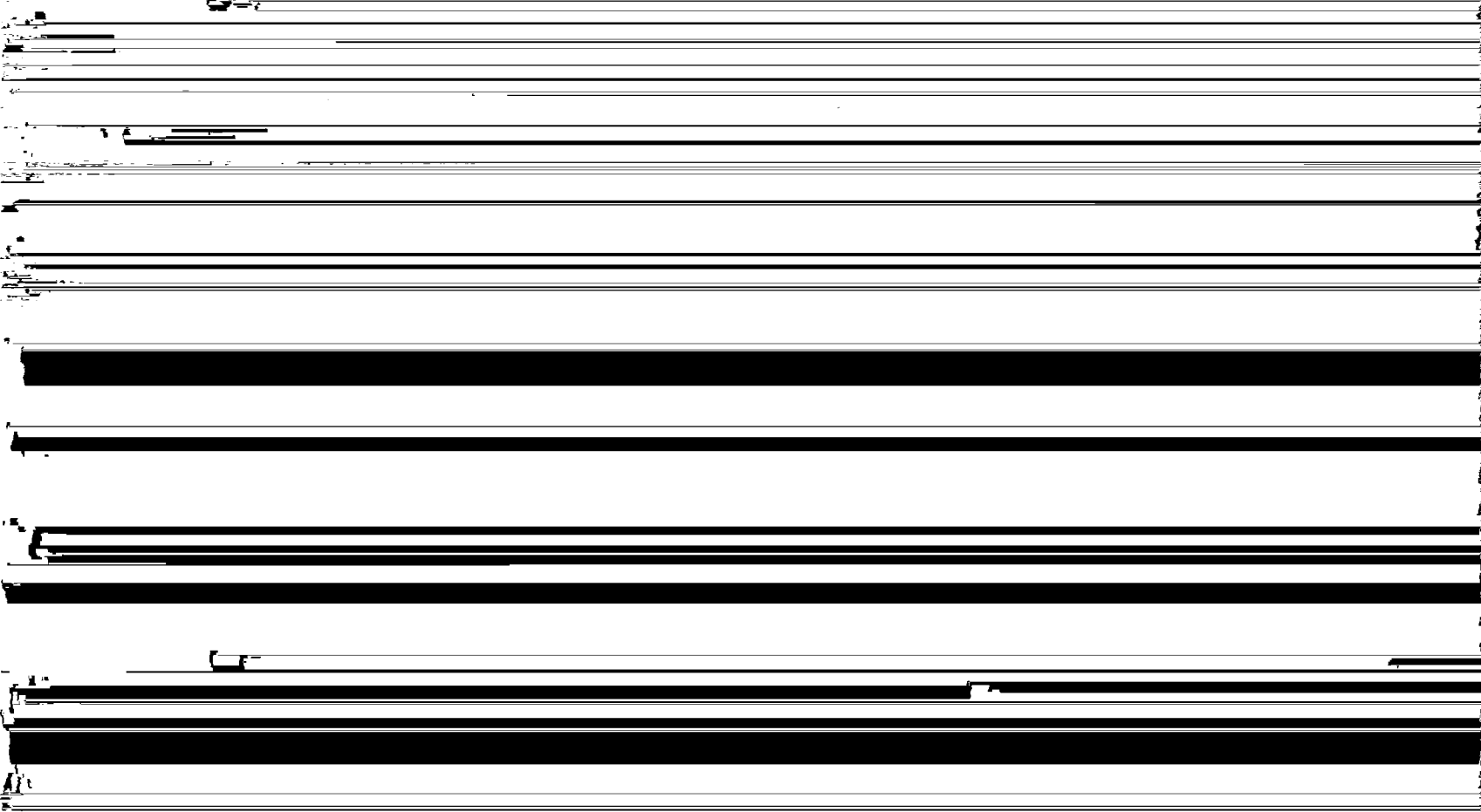
☐ Other (Specify)

Rural Initiatives for Shelter
and Education
Request for Waiver

Rural Initiatives for Shelter and Education ("RISE") seeks waiver of Section 73.207 of the Commission's rules with respect to short-spacing between the RISE proposal and commercial FM broadcast station WEZW, channel 279B, Wauwatosa, Wisconsin.

Facts Underlying Waiver: Under Section 73.207 of the rules, RISE must propose a tower site which is at least 163 km from the licensed site of WEZW. The proposed site is only 161.8 km from the WEZW site, or about 1.2 km short-spaced.

Grant of this waiver would permit operation of the proposed noncommercial facility from an existing tower, thus saving the nonprofit corporation



Waiver Showing: RISE believes that the benefits of conserving the applicant's resources makes grant of the waiver in the public interest. Grant of this waiver, given the fact that the location of Lake Michigan will result in no diminution of service, will not undercut the policy bases for the Commission's rules. Grant of the waiver is necessary to enable grant of the application, and thus to provide a new noncommercial educational radio service to Hartford. Thus, grant of the waiver would be in the public interest.

REQUEST FOR "WAIVER" OF 47 C.F.R. Section 73.207

The proposed transmitter site does not meet the requirements of §73.207 Table A, concerning the spacing from the transmitter site of WEZW, Channel 279B, Wauwatosa, Wisconsin. The required spacing is 163 km. The actual spacing is 161.8 km which rounds to 162. Thus, the proposed site is 1 km "short-spaced" to WEZW. This "short-spacing" is de minimus, and a "waiver" is requested.

1. The "waiver" permits the use of an existing tower, presently employed for FM Broadcast purposes. The tower is owned by the licensee of WCSY-FM, South Haven, Michigan, and supports the WCSY-FM transmitting antenna. The joint use is desirable to prevent possible incursions into airspace use.
2. There is no impact on the operation of WEZW due to the proposed "short-spacing". Exhibit E-7 shows the protected contours of WEZW, and Proposed Hartford. The 1 mV/m contour of the proposed Hartford station is not overlapped by the 100 uV/m (40 dBu) contour from WEZW. The 1 mV/m contour of WEZW is not overlapped by the 100 uV/m contour from Hartford. The 0.5 mV/m (54 dBu) contour of WEZW is overlapped by the 50 uV/m (34 dBu) contour from Hartford. However, this area of 90 sq.km. is located over Lake Michigan, with no impact on any population.
3. Overlap of the WEZW 0.5 mV/m contour by the Hartford 50 uV/m contour would result from a transmitter to transmitter spacing of 163 km, impacting an area of about 40 sq.km.

In summary, it is seen that the proposal does not contravene the spirit of the Rules. The short-spacing is only 1 km and the area involved between the stations is wholly over Lake Michigan. Both WEZW and the proposed station place a portion of the 60 dBu contours over unpopulated water areas of Lake Michigan, and a substantially greater degree of short-spacing would be required in order to create an over land area of interference to either station.

TABLE OF CONTENTS

1. Table of Contents
2. Certification of Engineer
3. Discussion of Report
4. Exhibit A - Acceptance of Responsibility for Interference
Correction
5. Exhibit E-1 - Proposed Service Contour Study
6. Exhibit E-2 - Topographic Data Employed in Application
7. Exhibit E-3 - Vertical Plan of Antenna System and Support Tower
8. Exhibit E-4 - Tabulation of Operating Conditions
9. Exhibit E-5 - Portion of Topographic Map Showing Site

CERTIFICATION OF CONSULTANT

The firm of E. Harold Munn, Jr. & Associates, Inc., Broadcast Engineering Consultants, with offices at 100 Airport Drive, Coldwater, Michigan, has been retained for the purpose of preparing the technical data forming this report.

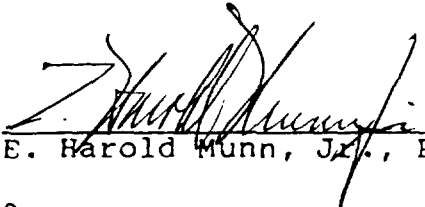
The report has been prepared by properly trained electronics specialists under the direction of the undersigned whose qualifications are a matter of record before the Federal Communications Commission.

I declare under penalty of perjury that the contents of this report are true and accurate to the best of my knowledge and belief.

E. HAROLD MUNN, JR. & ASSOCIATES, INC.

July 23, 1987

By


E. Harold Munn, Jr., President

100 Airport Drive, Box 220
Coldwater, Michigan 49036

(517) 278-7339

July 23, 1987

DISCUSSION

This firm has been retained to prepare the necessary Engineering Report in support of an application for a new FM Broadcast Station for Hartford, Michigan to operate on channel 279A. This Report is responsive to the Rules of the Commission and further supplies information required in FCC Form 301, Section V-B.

The proposed service contours have been calculated and appear herein as Exhibit E-1. The Topographic Data Employed in this Report forms Exhibit E-2, while the Vertical Plan Diagram of the tower structure is Exhibit E-3.

The applicant proposes to lease tower space from WCSY (FM), which has its antenna atop a pole on this same tower structure. WCSY operates on channel 252 and calculations indicate that there will be no harmful intermodulation or mixing of the signals between the two co-located facilities.

The tower has already been approved by the FAA, in case number 85-AGL-1228-OE, and because no change in the structures overall height is required, no further application to the FAA is necessary.

The proposed operating conditions for the new facility form Exhibit E-4, while Exhibit E-5 is the required 7.5' series topographic map showing the site location. Exhibit E-5A is a portion of the Aero Chart showing the site location.

Exhibit E-6 details the area and population calculations for the applicant, with the area represented being land mass only.

Primary power is readily available, and utilizing an existing structure eliminates any impact on the environment with this application. This proposed location also provides coverage of the city of license by the 70 dBu contour, as required by the Rules.

RADIATION PROTECTION: This proposal has been evaluated for compliance with FCC guidelines concerning human exposure to radiofrequency radiation. The standards employed are detailed in OST Bulletin No.65, October 1985.

Table 1 of Appendix B was employed for this study concerning FM broadcast radiation protection.

For the effective radiated power and type of antenna proposed, the minimum antenna radiation center above ground is specified as 13.6 meters.

This application proposes an antenna height above ground of at least 84.60 meters. Therefore, full compliance with the guidelines is attained by the instant application.

In addition to the protection afforded by the proposed antenna height above ground, the facility will be properly marked with signs, and entry to the facility will be restricted by means of locked fencing.

Any other means as may be required to protect employees and the general public will be employed.

BLANKETING INTERFERENCE: It is believed that no "blanketing" interference will be created as a result of a grant of this application. In the event verified complaints of "blanketing" are received, the applicant will comply with the provisions of Sec. 73.318 of the rules to resolve such complaints.

DISCUSSION

page -3-

SERVICE CONTOUR LOCATIONS
BASED ON 50/50 CURVES

THIS REPORT IS FOR: HARTFORD
 CHANNEL # 279
 FREQUENCY 103.7 MHZ
 TERRAIN ROUGHNESS FACTOR IS 0 METERS.
 ROUGHNESS CORRECTION IS 0 DBU.

BLANKET = 115 DBU
 GRADE A = 70 DBU
 GRADE B = 60 DBU

| RAD. DEG. | ANTENNA HEIGHT | | EFFECTIVE RADIATED KW | PREDICTED DISTANCES TO ALL OF THE INDICATED CONTOURS IN MILES (KILOMETERS): | | |
|--------------|-------------------|--------|-----------------------------|--|-------------|--------------|
| | FEET | METERS | | 562 MV/M | 3.16 MV/M | 1.00 MV/M |
| 0 | 323 | 98.5 | 3.0 | 0.4(0.68) | 8.4(13.51) | 14.9(24.04) |
| 45 | 337 | 102.7 | 3.0 | 0.4(0.68) | 8.6(13.80) | 15.2(24.48) |
| 90 | 301 | 91.7 | 3.0 | 0.4(0.68) | 8.1(13.04) | 14.5(23.26) |
| 135 | 306 | 93.3 | 3.0 | 0.4(0.68) | 8.2(13.15) | 14.6(23.44) |
| 180 | 329 | 100.3 | 3.0 | 0.4(0.68) | 8.5(13.64) | 15.1(24.24) |
| 225 | 333 | 101.5 | 3.0 | 0.4(0.68) | 8.5(13.72) | 15.1(24.36) |
| 270 | 352 | 107.3 | 3.0 | 0.4(0.68) | 8.8(14.08) | 15.5(24.92) |
| 315 | 347 | 105.8 | 3.0 | 0.4(0.68) | 8.7(13.99) | 15.4(24.78) |
| 146 | 312 | 95.1 | 3.0 | 0.4(0.68) | 8.3(13.28) | 14.7(23.66) |